

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

CONSUMER DEFENSE GROUP et al.,

Plaintiffs and Respondents,

v.

RENTAL HOUSING INDUSTRY  
MEMBERS,

Defendants and Respondents.

G035101, G035154

(Super. Ct. Nos. 04CC00589 and  
04CC00686)

MODIFICATION OF OPINION;  
NO CHANGE IN JUDGMENT

The Attorney General has requested minor modifications in the opinion in this matter filed March 24, 2006. The requests are well taken. Accordingly, the opinion is hereby modified as follows:

1. On page 22 of the slip opinion, the paragraph beginning with “Moreover” should be deleted in its entirety.
2. On page 23 of the slip opinion, the parenthetical phrase “(say, by the Attorney General)” should be deleted.
3. On page 23 of the slip opinion, add this new footnote 14 after the end of the first full paragraph, which ends with the words “public interest.”

“We emphasize, of course, that the issue of whether the Attorney General could be bound by a settlement reached by a private plaintiff is not presented in this case, and we express no opinion on it. This opinion should in no way be read for the idea that

the Attorney General could be bound by private settlements in private Proposition 65 suits.”

4. All successive footnotes (and any internal references to those footnotes) should be renumbered accordingly.

These modifications do not affect the judgment.

SILLS, P. J.

WE CONCUR:

RYLAARSDAM, J.

FYBEL, J.